## UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MASSACHUSETTS

C.D., by and through her PARENTS AND NEXT FRIENDS, M.D. and P.D.	Civil Action No. 15-cv-13617-FDS )
Plaintiffs, v.	) ) )
NATICK PUBLIC SCHOOL DISTRICT and BUREAU OF SPECIAL EDUCATION APPEALS,	) ) ) )
Defendants.	) ) )

## PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT

NOW come the Plaintiffs, M.D. and P.D., individually and on behalf of C.D. ("Parents") and pursuant to Rule 56 of the Federal Rules of Civil Procedure, hereby move for Summary Judgment in the above-referenced matter, and request that this Honorable Court allow Parents' Motion and enter judgment on behalf of Parents.

As grounds for this Motion, the Parents state that there are no genuine issues of material facts in dispute and the Parents are entitled to judgment as a matter of law. As a result, the Decision of the Bureau of Special Education Appeals ("BSEA"), dated July 24, 2015, Student v. Natick Public Schools, BSEA Docket 1408860, should be reversed and this Court should find that Parents' are entitled to attorney fees. In support of their Motion for Summary Judgment, Parents submit the accompanying Memorandum of Law.

WHEREFORE, the Plaintiffs, M.D. and P.D., individually and on behalf of C.D, request that this Court allow Plaintiffs' Motion for Summary Judgment.

DATED this 27<sup>th</sup> day of June 2016.

Respectfully submitted,

C.D., by and through her PARENTS AND NEXT FRIENDS, M.D. and P.D.

By their attorney,

/s/ Laurie R. Martucci Laurie R. Martucci, Esq. BBO # 561946 Wagner Law Associates, LLC 4 West Street Franklin, MA 02038 (508) 528-4007 lrm@wagnerlegal.com

## **CERTIFICATE OF SERVICE**

I hereby certify that the above document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing ("NEF"), and paper copies will be sent to those indicated as non-registered participants on June 24, 2016.

/s/ Laurie R. Martucci
Laurie R. Martucci